SUBJECT No. 91.

Re-organizing and improving the machinery for the administration of civil justice.

Messrs. Belur Srinivasa Iyengar, Bangalore Taluk; N. V. Narayanamurthi, Arya Vasiya Mahasabha, Bangalore City and C. Krishnamurthi, Law Association, Bangalore.

Summary of Representation.—Repeated complaints have been made that the existing machinery for the administration of civil justice is inadequate with the result that inordinate delay is caused in the disposal of civil suits. The increase in the number of Munsiffs' Courts is urgently required. The income from the court fee stamps may be utilised for this purpose if the sound policy of contributing from the general funds adopted in other countries is not followed. Financial stringency cannot be pleaded in the case of courts, as all Munsiffs' Courts are earning. We therefore pray for the increase of courts and better payment to the staff.

Mr. C. Krishnamurthi was not agreeable to the increase in the number of courts and said that the delay was due to inherent defects in the system. He suggested the constitution of a committee consisting of 2 judges and 2 or 3 non-officials with a Judge of the Chief Court as the Chairman, to collect evidence and suggest ways to prevent the work from falling into arrears. He also suggested that when the Judges of the Chief Court had no work, they must be deputed to work in the courts where the work had fallen into arrears. Direct recruitment to a place in the Chief Court was also urged by him as it will act as an incentive.

Reply of Government.—The suggestion will be noted.

SUBJECT No. 92.

Separation of judicial and executive functions.

Messrs. A. Srikantappa, Bangalore District Board; C. Krishnamurthi, Law Association, Bangalore; Hampiah, Sidlaghatta Municipality; G. Girmaji Rao, Kolar Taluk; Yusuff Khan, Chikballapur Municipality; K. Subba Rao, Maddagiri Municipality; C. Krishna Rao, Tumkur District Board; and Abdul Nabi Khan Sahib, Tumkur Municipality.

Summary of Representation.—The scheme for the separation of the judicial and executive functions may be extended to the remaining four districts, as magistrates who attend to revenue work also cannot attend to criminal work promptly.

Reply of Government.—The scheme will be extended gradually when funds permit. The question will be considered at the next budget time.

SUBJECT No. 93.

Withdrawal from the civil courts of the power of reducing rate of interest in certain cases.

Mr. S. Krishnaswami Rao, Mysore Taluk.

Summary of Representation.—In certain cases such as loans and leases, the civil courts are authorised to reduce the rate of interest agreed upon previously. This causes loss and inconvenience to the plaintiff while the defendant is encouraged to gain time by bringing in false evidence. It is therefore prayed that Government may either withdraw the power from the civil courts to reduce the rate of interest in all cases or require the civil courts to state satisfactorily the reasons for reducing the rate of interest.